

REMARKS

In response to the Final Office Action dated August 30, 2007, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance. Prior to entry of this response, Claims 1-5, 8-15, 19-29, and 31-32 were pending in the application, of which Claims 1, 8, and 19 are independent. In the Final Office Action dated August 30, 2007, Claims 1-5, 8-15, 19-29, and 31-32 were rejected under 35 U.S.C. 103(a). Following this response, Claims 1-3, 5, 8-15, 19-29, and 31-32 remain in this application with Claim 4 being canceled without prejudice or disclaimer. Applicants hereby address the Examiner's rejections in turn.

I. **Rejection of the Claims Under 35 U.S.C. § 103(a)**

In the Final Office Action dated August 30, 2007, the Examiner rejected Claims 1-5, 8-15, 19-29, and 31-32 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,711,608 ("*Ogilvie*") in view of U.S. Patent No. 6,654,786 ("*Fox*") in further view of U.S. Published Patent Application No. 2001/0030960 ("*Nakada*") in further view of U.S. Published Patent Applicant No. 2004/0103162 ("*Meister*"). Claims 1, 8, and 19 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for, at least for the reason that it recites, for example, "providing a security warning message in response to determining that the electronic mail address is located on the network beyond the sender's home domain, the security warning message indicating that the

self-destructing electronic mail message in the process of being sent to the network beyond the sender's home domain... canceling, in response to an indication that a user did not select to proceed with transmitting the self-destructing electronic mail message to the network beyond the sender's home domain... transmitting, in response to an indication that the user selected to proceed with transmitting the self-destructing electronic mail message to the network beyond the sender's home domain..."

Amended Claims 8 and 19 each includes a similar recitation. Support for these amendments may be found in the specification at least on page 13, lines 5-10.

Consistent with embodiments of the invention, in an event that an e-mail client application determines that one or more intended recipients are located on a network beyond a sender's home domain, a security warning message may be displayed. (See specification, page 13, line 7-10.) A user may have an option to proceed with sending a self-destructing e-mail message or canceling the e-mail message. (See specification, page 13, line 14-15.) This may allow the user to ensure that a receiving e-mail client application supports self-destructing e-mail messages. (See specification, page 13, line 17-19.)

In contrast, and as stated by the Examiner, *Ogilvie*, *Fox*, and *Nakada*, are silent regarding receiving a response to a security warning message for either transmitting or canceling email messages. (See Office Action page 5, lines 7-9.) Because *Ogilvie*, *Fox*, and *Nakada*, do not disclose receiving the aforementioned response to the security warning message, *Ogilvie*, *Fox*, and *Nakada* can not disclose receiving an indication, from a sender, to allow or decline the distribution of a self-destructing email message to a network beyond the sender's home domain.

Furthermore, *Meister* does not overcome *Ogilvie's*, *Fox's*, and *Nakada's* deficiencies. *Meister* merely discloses that if an address is fully resolved (i.e., not further resolvable by the local system), a system searches for an alias for a fully qualified address in a user's address book. If the alias exists, the alias is added to dialog box 30's alert list, in addition to a fully resolved address. (See paragraph [0036].) The system then checks to see if additional addresses remain in a header that has not been processed. (See paragraph [0036].) If not, alert dialog box 30, including an alert message 32, is produced and displayed using dialog box production techniques. (See paragraph [0036].) Nowhere in *Meister* does it disclose receiving a security warning message with an indication that a recipient's email address is located on a network beyond the sender's home domain. Because *Meister* does not provide the aforementioned security warning message to the sender, *Meister* can not disclose any further action on the message based on a response, by the sender, to the aforementioned security warning message. Consequently, *Meister* is silent regarding an indication, from a sender, to allow or decline the distribution of a self-destructing email message to a network beyond the sender's home domain.

In addition, the Examiner states that *Ogilvie* discloses providing a security warning message prior to transmitting a request indicating that an intended recipient is located beyond a home domain. (See Office Action page 3, line 20-page 4, line 4.) Applicants respectfully disagree with the Examiner's aforementioned statement because Applicants submit that *Ogilvie* teaches away from the claimed invention. For instance, the Examiner states that *Ogilvie* discloses providing a security warning message prior to transmitting a request. (See Office Action page 3, lines 20-21.) Supporting this

statement, the Examiner cites “a reply email is sent automatically to the sender when the recipient has opened the self-removing email message...” referencing *Ogilvie* col. 9, lines 8-11. Applicants respectfully submit that even if the Examiner’s contention were true, *Ogilvie* would disclose a transmission only after the recipient has received an email message. Therefore, the reply email in *Ogilvie* would not take place prior to transmitting the email message.

Moreover, the Examiner states that *Ogilvie* and *Fox* at least do not disclose determining if an electronic mail address is located on a network beyond a sender’s home domain and canceling the electronic mail message to the intended recipient whose electronic mail address is located on the network beyond the sender’s home domain. (See Office Action page 4, lines 13-17.) Because *Ogilvie* and *Fox* do not disclose the aforementioned determining and canceling stages, *Ogilvie* and *Fox* cannot disclose: i) providing a security warning message in response to the determining stage; ii) receiving a response to the security warning message; and iii) canceling or transmitting the electronic mail message based on the received response.

Combining *Ogilvie* with *Fox*, *Nakada*, and *Meister* would not have led to the claimed invention because *Ogilvie*, *Fox*, *Nakada*, and *Meister* either individually or in combination, at least do not disclose “providing a security warning message in response to determining that the electronic mail address is located on the network beyond the sender’s home domain, the security warning message indicating that the self-destructing electronic mail message in the process of being sent to the network beyond the sender’s home domain... canceling, in response to an indication that a user did not select to proceed with transmitting the self-destructing electronic mail message to the

network beyond the sender's home domain... transmitting, in response to an indication that the user selected to proceed with transmitting the self-destructing electronic mail message to the network beyond the sender's home domain...,” as recited by amended Claim 1. Independent Claims 8 and 19 each includes a similar recitation. Accordingly, Applicant's request withdrawal of this rejection of independent Claims 1, 8, and 19.

Dependent Claims 2-3, 5, 9-15, 20-29, and 31-32 are also allowable at least for the reasons described above regarding independent Claims 1, 8, and 19, and by virtue of their respective dependencies upon independent Claims 1, 8, and 19. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-3, 5, 9-15, 20-29, and 31-32.

II. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Final Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Final Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Final Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.

P.O. Box 2903
Minneapolis, MN 55402-0903
404.954.5066

/D. Kent Stier/

Date: October 31, 2007

D. Kent Stier
Reg. No. 50,640

DKS:YLE:mdc

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